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**BEFORE THE ARIZONA STATE BOARD OF PHARMACY**

In the Matter of

**RICHARD PILLON**

Holder of License No. 6697  
For the Practice of Pharmacy  
In the State of Arizona

Board Case No. 06-0023-PHR

**CONSENT AGREEMENT FOR  
PROBATION**

**RECITALS**

In the interest of a prompt and judicious settlement of this case, consistent with the public interest, statutory requirements and the responsibilities of the Arizona State Board of Pharmacy ("Board") and under A.R.S. §§ 32-1901, *et. seq.* and 41-1092.07(F)(5), Richard Pillon ("Respondent"), holder of Pharmacist License Number 6697 to practice pharmacy in the State of Arizona, and the Board enter into the following Recitals, Findings of Fact, Conclusions of Law and Order ("Consent Agreement") as a final disposition of this matter.

1. Respondent has read and understands this Consent Agreement and has had the opportunity to discuss this Consent Agreement with an attorney, or has waived the opportunity to discuss this Consent Agreement with an attorney.

1           2.     Respondent understands that he has a right to a public administrative  
2 hearing concerning the above-captioned matter, at which hearing he could present  
3 evidence and cross examine witnesses. By entering into this Consent Agreement,  
4 Respondent knowingly and voluntarily relinquishes all right to such an administrative  
5 hearing, as well as rights of rehearing, review, reconsideration, appeal, judicial review or  
6 any other administrative and/or judicial action, concerning the matters set forth herein.

7           3.     Respondent affirmatively agrees that this Consent Agreement shall be  
8 irrevocable.

9           4.     Respondent understands that this Consent Agreement or any part of the  
10 agreement may be considered in any future disciplinary action by the Board against him.

11          5.     Respondent understands this Consent Agreement deals with Board  
12 Complaint No. 3055 involving allegations of unprofessional conduct against Respondent.  
13 The investigation into these allegations against Respondent shall be concluded upon the  
14 Board's adoption of this Consent Agreement.

15          6.     Respondent understands that this Consent Agreement does not constitute a  
16 dismissal or resolution of any other matters currently pending before the Board, if any,  
17 and does not constitute any waiver, express or implied, of the Board's statutory authority  
18 or jurisdiction regarding any other pending or future investigation, action or proceeding.

19          7.     Respondent also understands that acceptance of this Consent Agreement  
20 does not preclude any other agency, subdivision, or officer of this State from instituting  
21 any other civil or criminal proceedings with respect to the conduct that is the subject of  
22 this Consent Agreement.

23          8.     All admissions made by the Respondent in this Consent Agreement are  
24 made solely for the final disposition of this matter, and any related administrative  
25 proceedings or civil litigation involving the Board and Respondent. Therefore, any  
26

1 admissions made by Respondent in this Consent Agreement are not intended for any  
2 other use, such as in the context of another regulatory agency's proceedings, or civil or  
3 criminal proceedings, whether in the State of Arizona or in any other state or federal  
4 court.

5 9. Respondent acknowledges and agrees that, upon signing this Consent  
6 Agreement and returning this document to the Board's Executive Director, he may not  
7 revoke his acceptance of the Consent Agreement or make any modifications to the  
8 document regardless of whether the Consent Agreement has been signed by the  
9 Executive Director. Any modification to this original document is ineffective and void  
10 unless mutually agreed by the parties in writing.

11 10. Respondent understands that the Consent Agreement shall not become  
12 effective unless and until adopted by the Board and signed by its Executive Director.

13 11. If a court of competent jurisdiction rules that any part of this Consent  
14 Agreement is void or otherwise unenforceable, the remainder of the Consent Agreement  
15 shall remain in full force and effect.

16 12. Respondent understands and agrees that if the Board does not adopt this  
17 Consent Agreement, he will not assert as a defense that the Board's consideration of this  
18 Consent Agreement constitutes bias, prejudice, prejudgment or other similar defenses.

19 13. Respondent understands that this Consent Agreement is a public record that  
20 may be publicly disseminated as a formal action of the Board and may be reported as  
21 required by law to the National Practitioner Data Bank and the Healthcare Integrity and  
22 Protection Data Bank.

23 14. Respondent understands that any violation of this Consent Agreement  
24 constitutes unprofessional conduct and may result in disciplinary action. A.R.S. §§ 32-  
25 1901.01(B)(20), -1927(A)(1).  
26

1 ACCEPTED AND AGREED BY RESPONDENT

2 Richard W. Pillon  
3 Richard Pillon

Dated: 5/3/06

4 Subscribed and sworn to before me in the County of MARICOPA, State of ARIZONA,  
5 this 3<sup>rd</sup> day of MAY, 2006, by Richard Pillon.



NOTARY PUBLIC

My Commission expires: June 28, 2007

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10 **FINDINGS OF FACT**

11 1. The Arizona State Board of Pharmacy ("Board") is the duly constituted  
12 authority for licensing and regulating the practice of pharmacy in the State of Arizona.

13 2. Richard Pillon ("Respondent") is the holder of license number 6697 for the  
14 practice of pharmacy in the State of Arizona.

15 3. On November 23, 2005, Respondent worked as an on-call pharmacist at  
16 Safeway Pharmacy #2676 ("Pharmacy") in Mesa, Arizona.

17 4. On that day, Patient S.M. requested refills for her prescriptions of #45  
18 Trazadone 100mg tablets and #60 Glipizide 10mg tablets. Respondent erroneously  
19 dispensed #60 Glipizide 10mg tablets to refill both prescriptions.

20 5. On or about December 3, 2005, the Patient noticed the error and contacted  
21 the Pharmacy. The Pharmacy dispensed the correct medications to the Patient.

22 6. On or about December 14, 2005, the Patient reported the incident to the  
23 Board.

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3. When dispensing a prescription medication from a prescription order, a pharmacist shall make a final accuracy check on the completed prescription medication and manually initial the finished label. A.C.C. § R4-23-402(A)(11).

4. The conduct and circumstances described above constitute unprofessional conduct pursuant to A.R.S. § 32-1901.01(B)(10) (“Violating a federal or state law or administrative rule relating to marijuana, prescription-only drugs, narcotics, dangerous drugs, controlled substances or precursor chemicals when determined by the board or by conviction in a federal or state court.”)

## 14

IT IS HEREBY ORDERED THAT Pharmacist License No. 6697, which was issued to Richard Pillon for the practice of Pharmacy in the State of Arizona, is hereby placed on PROBATION for six (6) months, effective on the date of this Order. The PROBATION is subject to the following conditions:

2. Respondent shall successfully complete eight (8) contact hours (0.8 C.E.U.) of American Council on Pharmaceutical Education ("ACPE") courses approved by the Board staff before the termination of the probation. The courses

1 shall be limited to the topic of patient safety and shall be in addition to the  
2 requirements of A.R.S. § 32-1936 and A.C.C. § R4-23-204.

3 3. Respondent shall pay a \$1,000 civil penalty before the termination of  
4 the probation.

5 4. Respondent shall not serve as a preceptor pharmacist or pharmacist-  
6 in-charge throughout the term of his probation.

7 5. Respondent shall obey all federal and state laws and rules governing  
8 the practice of pharmacy.

9 6. Respondent shall furnish the Board with a list of all jurisdictions in  
10 which he maintains or has maintained licensure in the profession of pharmacy  
11 along with the registration number of said licenses.

12 7. Respondent shall advise the Board immediately of any change in  
13 pharmacy employment status throughout the term of his probation.

14 8. Respondent shall furnish all pharmacy employers with a copy of this  
15 Board Order throughout term of his probation.

16 9. Respondent shall complete two hundred (200) hours of community  
17 service approved by the Board staff before the termination of the probation period.

18 10. If Respondent violates this Order in any way or fails to fulfill the  
19 requirements of this Order, the Board, after giving the Respondent notice and the  
20 opportunity to be heard, may revoke, suspend or take other disciplinary actions  
21 against for Respondent. The issue at such a hearing will be limited solely to  
22 whether this Order has been violated.

23 11. Respondent shall appear before the Board at a regularly scheduled  
24 Board meeting six months after the effective date of this Order to request that the  
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1 probation imposed by this order be terminated. Respondent's failure to petition  
2 the Board to terminate the probation shall extend the probation period.

3 DATED this 24<sup>th</sup> day of May, 2006.

4 ARIZONA STATE BOARD OF PHARMACY

5 (Seal)

6 By:

7   
8 HAL WAND, R.Ph.  
Executive Director

9 ORIGINAL OF THE FORGOING FILED  
10 this 26 day of May, 2006, with:

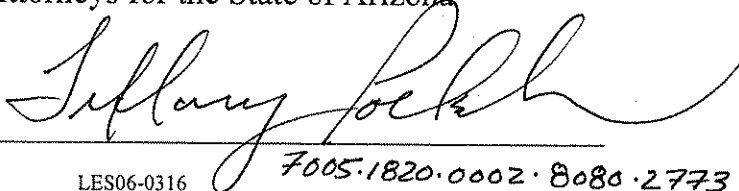
11 Arizona State Board of Pharmacy  
12 4425 W. Olive Avenue, Suite 140  
Glendale, Arizona 85302

13 EXECUTED COPY OF THE FOREGOING MAILED  
BY CERTIFIED MAIL  
14 this 26 day of May, 2006, to:

15 Richard Pillon  
16 19229 W. Pieget, #6  
Waddell, Arizona 85355  
Respondent

17 EXECUTED COPY OF THE FOREGOING MAILED  
18 this \_\_\_\_ day of \_\_\_\_\_, 2006, to:

19 Stephen Wolf  
Assistant Attorney General  
1275 W. Washington Street, CIV/LES  
20 Phoenix, Arizona 85007  
Attorneys for the State of Arizona

21   
22  
23 LES06-0316 7005-1820-0002-8080-2773



ARIZONA STATE BOARD OF PHARMACY

PO Box 6389, GLENDALE, ARIZONA 85312-6389  
4425 WEST OLIVE AVENUE, SUITE 140, GLENDALE, ARIZONA 85302-3844  
623-463-ASBP (2727) FAX 623-934-0583  
[www.pharmacy.state.az.us](http://www.pharmacy.state.az.us)

April 20, 2006

Richard Pillon  
19229 W. Pieget, #6  
Waddell, AZ 85355

Dear Mr. Pillon,

This letter and accompanying documents contain a written stipulated agreement and Board Order. The Consent Agreement contains allegations which are violations of pharmacy statutes or rules.

The Board Order is consistent with Board action on similar matters in Arizona. If you wish to forego the expense and uncertainty of a formal hearing before the Board at a Board meeting, please sign the Consent to Entry Order document, have it notarized, and return it to me at this office. The full Board will decide to accept or reject the Order at the next regularly scheduled Board meeting.

I would appreciate hearing from you as soon as possible, whether or not you decide to accept the Consent Agreement, before the 8<sup>th</sup> day of May, 2006.

Please contact me at this office to verify understanding of the documents or to clarify any issues that concern you.

Sincerely,

A handwritten signature in black ink, appearing to read "Hal Wand", written in a cursive style.

Hal Wand  
Executive Director